

# Senate Resolution 9 - Introduced

## SENATE RESOLUTION NO. 9

BY SWEENEY

1 A Resolution urging the United States environmental  
2 protection agency and the United States army corps  
3 of engineers to withdraw vague regulations that  
4 threaten to impose complicated and overreaching  
5 restrictions upon Iowa farmers.

6 WHEREAS, Iowa has 84,900 farms accounting for 30.5  
7 million acres of land dedicated to farming with more  
8 than 95 percent of Iowa farms owned by families; and

9 WHEREAS, Iowa farmers actively participate  
10 in watershed protection projects, and advance  
11 implementation of the Iowa nutrient reduction  
12 strategy; and

13 WHEREAS, Iowa farmers have installed and  
14 maintain soil and water conservation practices,  
15 and land use management practices, that decrease  
16 erosion and precipitation-induced surface runoff,  
17 increase water infiltration rates, and increase soil  
18 sustainability; and

19 WHEREAS, soil and water conservation practices have  
20 been designed and installed for use over multiple  
21 years, and include wetlands, bioreactor systems, filter  
22 strips, saturated buffers, and terraces; and

23 WHEREAS, land use management practices include  
24 no-till planting, contour farming, the rotation of land  
25 for pasture and hay, and the use of cover crops and  
26 conservation cover; and

27 WHEREAS, the United States environmental protection  
28 agency and the United States army corps of engineers

1 are attempting to implement vague regulations that  
2 threaten to impose complicated and overreaching  
3 restrictions upon Iowa farmers based on an unreasonable  
4 interpretation of what constitutes a statutory  
5 qualification of "navigable waters"; and

6 WHEREAS, the Clean Water Act authorizes federal  
7 regulation of "navigable waters" meaning "waters of  
8 the United States" pursuant to 33 U.S.C. §§1311(a) and  
9 1362(12); and

10 WHEREAS, the effect of the regulations would extend  
11 federal jurisdiction over farmland without navigable  
12 waters in a manner that would circumvent ongoing  
13 soil and water conservation practices, and land use  
14 management practices; and

15 WHEREAS, on October 3, 2022, the first day of  
16 its term, the United States Supreme Court heard  
17 oral arguments in the case *Sackett v. Environmental*  
18 *Protection Agency* in which the Court will revisit this  
19 issue; NOW THEREFORE,

20 BE IT RESOLVED BY THE SENATE, That the United States  
21 environmental protection agency and the United States  
22 army corps of engineers are urged to immediately  
23 withdraw the regulations and redraft regulations that  
24 include a practical definition of "navigable waters"  
25 that does not lead to absurd results; and

26 BE IT FURTHER RESOLVED, That copies of this  
27 resolution be sent to Mr. Michael S. Regan,  
28 administrator of the environmental protection agency  
29 and Lieutenant General Scott A. Spellmon, chief of  
30 engineers and commanding general of the United States

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1 army corps of engineers.